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Book review: Ania Zbyszewska: gendering European working time regimes: the working time directive and the case of Poland

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Book review: Ania Zbyszewska's (2016) *Gendering European Working Time Regimes: The Working Time Directive and the Case of Poland.*

Gendering European Working Time Regimes: The Working Time Directive and the Case of Poland (2016), by Ania Zbyszewska, is an engaging, insightful and carefully executed feminist legal study of contemporary working time regulations in Europe. This is a topical book. It is written in the context of an ever-growing presence of gender on the policy agendas of governments, corporations, and non-governmental organisations on the one hand, and the persistence of gender inequalities in their multiple forms, such as in earnings, power, and responsibilities for care and unpaid work, on the other. The relevance of the book goes beyond its immediate topicality, partly because its focus on gender is combined with a concern with time – a long standing interest of social scientists and reformers. The early preoccupations with time were, as feminist critique pointed out, inattentive to gender, as in this example from Marx, who in 1845 (p45) wrote in the German Ideology:

> *In communist society, where nobody has one exclusive sphere of activity but each can become accomplished in any branch he (sic) wishes, society regulates the general production and thus makes it possible for me to do one thing today and another tomorrow, to hunt in the morning, fish in the afternoon, rear cattle in the evening, criticise after dinner, just as I have a mind, without ever becoming hunter, fisherman, herdsman or critic.*

Clearly today's prevailing neoliberal context makes such a vision difficult to relate to for most members of society, regardless of gender. Still, the gender division of labour in paid and unpaid work persists. The recent European Working Conditions Survey (Anxo et al 2017) shows that in 2015 in 28 European Union (EU) countries, women on average spend 58 hours in paid and unpaid work per week, while men do 52.5 hours. Annually, this difference is equivalent to nearly twelve 24-hour periods, or over 35 'standard' 8-hour workdays.

Ania Zbyszewska's book certainly makes a contribution to current and established mainstream and feminist debates on the problem of gender and time. The author shows how working time regulations – the legal standards and the processes which bring them about – emerge from and become socially rooted in political, economic and cultural domains. She considers whether the model that the EU promotes can support a more equal sharing of time dedicated to paid and unpaid work between women and men in the member states. It thus renews the key feminist demand for the redistribution of time with all its consequences for access to resources. The EU has, undoubtedly, played a major role in putting gender equality on policy agendas and in normalising the inclusion of gender equality in employment and social policies at EU and national levels. But, as we learn from this book and in agreement with other critical feminist analyses, the picture is more nuanced. This book's engagement with context and complexity is done on many levels.

For instance, while gender issues and women's employment are a strong feature of EU level discourse, the laws, policies, and programmes that would help bring gender transformation about fall short of this agenda. Working time regulations are case in point. Separate legal instruments improve the conditions for part-time workers (predominantly women) and for full time workers (predominantly men), but taken together reinforce, rather than challenge, gendered difference. Instead of converging patterns of work and blurring the production/reproduction divide, the legislation institutes bifurcated working time policies (see also Mutari and Figart 2001) with one model of standard full-time long working hours for available and unconstrained (supported) workers and another one of 'atypical' (but increasingly prevalent) part-time, temporary, and otherwise flexible working arrangements

for disposable and constrained (supporting) workers. This is not the only model analysed in the book, as Zbyszewska's case study of socialist Poland outlines the state's commitment to full-time long working hours for all. It shows perhaps a more gender egalitarian approach to paid work, but without the concomitant change in the gendered character of unpaid work and care and limited state support, women's double burden was acute and equality far from being realised. The example serves as an insightful counterpoint not just to the bifurcated part-time versus full-time working framework, but to the general activation and employability agenda prevalent across the EU, where even if secure and full-time jobs were available, not everyone can be assumed to be in the position to undertake them.

However, as another layer of complexity and context integrated by Zbyszewska shows, this differentiated legal framework on working time that the EU upholds is not a straightforward top-down unfolding of policies by the European institutions (the Commission, the Parliament and the Council). In fact, it is an outcome of an intricate interaction among them with a hefty input from powerful member states and powerful actors within them. The analysis of the UK's role in the shaping of EU developments with respect to social and employment policy is clearly exposed in this book, outlining how the UK has played an instrumental part in mobilising gender equality objectives for the agenda of creating more flexible labour markets – flexible in the negative and insecure sense for workers. Governments of member states which are less influential on the EU arena can also use the interaction to their advantage. The case study of Poland shows that while it's been subject to policy 'downloading' more so than 'uploading', especially via the mechanism of conditionality inherent in the accession process, considerable room for manoeuvre remains. As the author shows, the Polish government has acted opportunistically, drawing on the power of the EU to push already existing domestic agenda for deregulation. And so, the answer to the question whether the EU can support a more gender equal sharing of time is very much intertwined with domestic politics, policies, and power relations.

While the problem of gendered working time regulations is a direct outcome of supra-national and national legislative processes, it is reflective of a broader shifting balance of power between labour and capital evident in rising inequality. Considerable amount of research into the patterns of and reasons for this rise has shown that over the last few decades, labour's share of value added has fallen across the world regions and earnings inequalities have increased. Although the gender pay gap has narrowed in most OECD countries, it endures and is a result of wide-ranging processes including improvements in women's education, as well as downward trends in men's earnings. In the book, Zbyszewska brings in the power relations between organised labour and organised capital, and the role of governments in mediating this relationship. This is a crucial intervention in productivity debates, since the concern over productivity has been used to justify working time deregulations. Advocated by the need to maintain, or indeed improve, the socioeconomic security of European societies, the reforms actually have failed to deliver prosperity for all. Gains from productivity increases have not been shared with workers and the decline in the wage's share in profit is attributed to neoliberal policies of labour market deregulation and flexibilization.

The rich analysis of *Gendering European Working Time Regimes* will be found relevant to a wide audience in and across disciplines, including law, gender studies, industrial relations, political science, and history. The book will inform and inspire advanced graduate and post-graduate students, as well as established scholars keen to understand how processes of gender inequality unfold and solidify, and how they play out on the complex terrain of EU

and member state interactions. The book should, moreover, be mandatory reading for policy makers – to inspire reflexivity on the political process by which legal frameworks come into being and to help engage with the unintended consequences of decisions taken in artificially separated spheres. Here the case studies of the UK and Poland are very instructive, and are exemplary of contextually specific but transnationally relevant research. I also think that this analysis, so confidently charting the relationship between time and gender in neoliberal Europe, can be taken further in considering class and other axes of inequality, and highlighting the differentiated capabilities of variously positioned individuals and groups to realise their personal, family and professional projects by implementing private solutions to structural work-time problems.

What I like most about this book is how it combines scholarly rigour with political relevance – a fine example of feminist research. This includes posing questions and dilemmas for feminist scholars and activists, and for progressive politics more broadly, of what is to be done. This is a challenging call in contemporary Europe, given rising populism, and in the UK, as it embarks on its way out of the EU. Ania Zbyszewska considers the possibilities for change by referring to the current post-crisis balance of power in the EU and the major problem of policy imbalances, where social policy continues to be subordinate to (neoliberal) economic policy. Her analysis is an important step towards identifying crucial factors in the institutionalisation of inequalities via legal frameworks and showing the barriers to progressive politics and policies. Attaining more gender egalitarian outcomes requires the redrawing of lines between production and reproduction, national and supranational governance, capital and labour, and economic and social objectives. The research and analysis in this book contributes centrally to this redrawing.

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